

**Best Available Copy****REMARKS*****Claim rejections - 35 U.S.C. § 112***

The Examiner has rejected claims 48-50 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicant has amended independent claim 48, by removing “ a rollerball”, and adding “said rollerball”, this claim should now be in a condition for allowance when considered in light of the amendments to the claims. Regarding dependent claims 49 and 50, these claims were rejected because of there dependency on rejected independent claim 48, therefore these claims should now be in a condition for allowance too.

***Claim rejections - 35 U.S.C. § 102(b)***

The Examiner has rejected claims 1, 3, 4, 6, 7, 42, and 48-50 under 35 U.S.C. § 102(b), as being anticipated by Sakwa. The applicant has amended independent claims 1 and 42, so as to better describe what the applicant regards as the invention. In addition, applicant has added new claim 51 to further define appliacnt's invention.

Regarding independent claim 1, the applicant has added further limitations to better describe the receptacle that contains the rollerball. In particular the applicant has amended this claim so that the receptacle with the rollerball has a first end and a second end, and wherein the first end, the end with the rollerball, is removably connected to the sleeve. The applicant has further amended the claim so that both the receptacles and the sleeve have equal diameters. Sakwa does not disclose applicants arrangement of the rollerball with the sleeve. In Sakwa, the

09/842,371

roller applicator is not removably connected to the sleeve, as seen in FIG. 4 of Sakwa, and this rejection should be withdrawn..

Regarding independent claim 42, the applicant has added further limitations to better describe the receptacle that contains the rollerball, in particular the applicant has amended this claim so that the receptacle with the rollerball has a first end and a second end, wherein the first end, the end with the rollerball, is removably connected to the sleeve. In Sakwa, the roller applicator is not removably connected to the sleeve, as seen in FIG. 4 of Sakwa, and as such the rejection of independent claim 42 should be withdrawn.

Regarding claims 3, 4, 6, 7, 48-50, the Examiner rejected these claims because they depended on rejected independent claims 1 and 42. For the reasons stated above as to claims 1 and 42 the rejection of claims 3, 4, 6, 7, 48-50 should also be withdrawn.

***Claim rejections - 35 U.S.C. § 103***

The Examiner has rejected claims 1-31 and 40-50, under 35 U.S.C. § 103, as being unpatentable over Roerich in view of Costa, or Pieper et al. The applicant has amended independent claims 1 and 42. Roerich does not teach or suggest two receptacles that are equal in diameter to the sleeve, quite the contrary, drawing the Examiner's attention to FIG. 1 of the Roerich patent, the receptacles are clearly not equal. Furthermore, the sidewalls of the receptacles of the Roerich patent are not parallel. As for the other cited prior art references, neither Costa or Pieper teach or suggest the combining a rollerball applicator with a mascara brush or a doe foot applicator to form one compact cosmetic applicator as in the present

09/842,371

invention, and as such independent claims 1 and 42 should now be in condition for allowance.

Regarding claims 2-30, 40-41 and 43-50, the Examiner rejected these claims because of their dependency on rejected independent claims 1 and 42. For the foregoing reasons these claims should also be in a condition for allowance.

Regarding the obvious rejection of Roehrich in combination with the other cited references, the applicant has submitted a rule 1.132 affidavit with this paper. The applicant affirms in this affidavit the commercial success of the present invention in the cosmetic market today. To date the applicant has sold more than \$4,000,000 worth of the present invention. Buyers of the applicant's invention include such cosmetic industry mega giants as Estee Lauder, Avon, Britney Spears, and Victoria's Secret, etc.

### ***MPEP § 2141 III***

“Objective evidence or secondary considerations such as unexpected results, commercial success, long felt need, failure of others, copying of others, licensing, and skepticism of experts are relevant to the issue of *obviousness* (emphasis added) and must be considered in every case in which they are present.”

The applicant brings this to the attention of the Examiner to further evidence that what the applicant regards as the invention is nonobvious in the cosmetic industry.

### ***CONCLUSION***

For the foregoing reasons, applicant's claims are patentable over the cited prior art and the application should be in condition for allowance. In addition applicant has enclosed checks

09/842,371

that total \$480.00, which will cover:

|   |          |
|---|----------|
| 1 additional claim                        | \$25.00  |
| Request for Continued Examination         | \$395.00 |
| Request for a one month extension of time | \$60.00  |
|   | <hr/>    |
|   | \$480.00 |

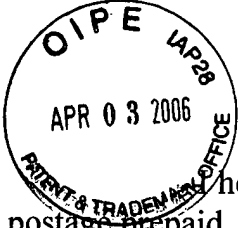
Respectfully submitted,



---

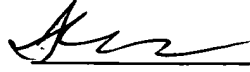
Thomas A. O'Rourke  
Reg. No.: 27,665  
BODNER & O'ROURKE, L.L.P.  
425 Broadhollow Road  
Melville, New York 11747  
(631) 249-7500

09/842.371



CERTIFICATE OF MAILING

hereby certify that the foregoing Response was mailed by first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 on this 29<sup>th</sup> of March, 2006.

  
Thomas A. O'Rourke



the public. For example, the dual cosmetic container having a roller ball and a doe foot applicator of the present application have been featured by Victoria's Secret Christmas 2002 Catalog and Victoria's Secret Christmas 2003 Catalog. Copies of relevant portions of Victoria's Secrets Christmas 2002 and Christmas 2003 Catalogs are attached hereto as Exhibits 1 and 2.

5. At the 2004 Academy Awards presented by the Academy of Motion Picture Arts and Sciences, Victoria's Secret, a customer of Fragrance System for the product of the application, used the dual cosmetic container of the above identified application as a gift for the attendees to the awards ceremony. Attached hereto as Exhibit 3 is a copy of an article from the March 21, 2004 issue of Newsday showing the dispenser of the present invention as part of the Oscar Nominee Gift Pack for the 2004 Academy Awards ceremony.

6. Estee Lauder has advertised Applicant's product. Attached hereto as Exhibit 4 is a copy of an Estee Lauder advertisement offering Applicant's dual cosmetic container.

7. Attached hereto as Exhibit 5 is a copy of a Bloomingdale's promotion for the dual cosmetic container of the present application as part of a Mother's Day gift package.

8. Attached hereto as Exhibit 6 is a page from the Mary Kay website showing the dispenser of the present invention as part of the Mary Kay "Velocity" product line.

9. Sephora's Britney Spears product line includes the dispenser of the present invention. Attached hereto as Exhibit 7 is a copy of the [www.sephora.com](http://www.sephora.com) website showing applicant's product.

10. Seventeen Magazine ran an article entitled "Wallet Size Lip Gloss, Clump Free Mascara and More I Gotta-Have-Em Tidbits by Laura Kinney." Item three in the article is directed to Applicant's product where the author states "Talk about bang for your buck, The Body Shop's Tint & Shine Packs Three Functions in One Handy Wand". See Exhibit 8.

11. The dual cosmetic container of the present application has been shown a number of times in publications in the form of advertisements for the product sold by Hard Candy. Attached hereto are Exhibits 9-12 which show the Applicant's product as marketed by its customer Hard Candy under the designation Stain & Shine.

12. Since the product was introduced in 2001, Applicant has been a commercial success in the cosmetic industry. Fragrance Systems has sold over 4,000,000 dual ended roller ball/doe foot rod applicator packages of the present invention.

---

*[Handwritten Signature]*

Sworn to me before this 28<sup>th</sup> day of  
March 2006.

*[Handwritten Signature]*


Notary Public *County of Suffolk*

020R61405B-3  
Expires 1/30/2010



CERTIFICATE OF MAILING

I hereby certify that the foregoing documents were mailed by first class mail, postage prepaid, in an envelope addressed to the Hon. Commissioner for Patents and Trademarks, PO Box 1450; Alexandria, VA 22313-1450, this \_\_\_\_ day of March, 2006.



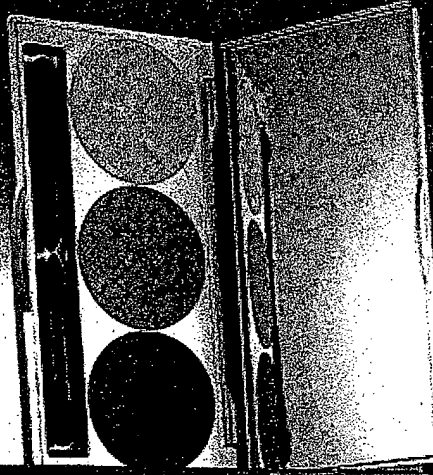
---

Thomas A. O'Rourke

# GET SULTRY

THE SEASONS HOTTEST MAKEUP ESSENTIALS

**A. VERY SEXY EYE-COLOR KIT**  
 Rich, luminous eye shadows with fishnet design. Includes *In the Pink*, *Risque Rose* and *Naughty Berry* shades. Imported. [60-156-919] [99] \*20



**VERY SEXY DUO**  
 For even the finest pores. Contains the new fragrance. [74] [99] \*15.50

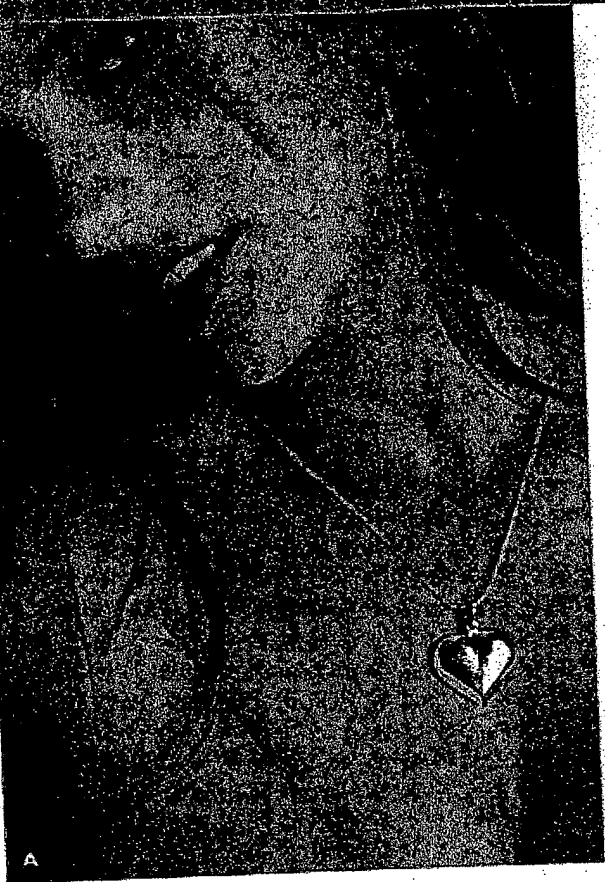
SHIP TO (Only California Residents)  
 Price  
 Approx. 25.99  
 CLOTHING HAS NEVER BEEN EASIER TO BUY

Click [VictoriasSecret.com](http://VictoriasSecret.com)  
 Everything you need in one package can be purchased securely online with a major credit card, or with your Victoria's Secret Green Card.

We Make Gift Giving Easy—Shop Any Way You Like  
 Call 1.800.888.8200

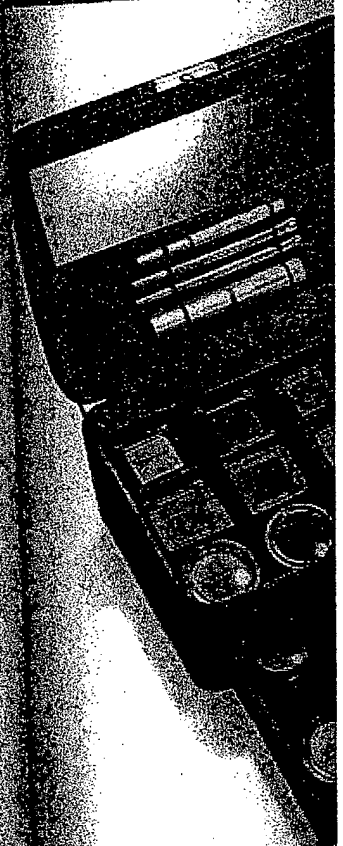
PENDANT  
 make chain  
 imported.  
 \$15.

WALLET  
 in pink  
 multiple  
 slots and  
 shaped for  
 Black (93)  
 imported.  
 \$157-933 \$35.



**C KISS ME PINK ROLLERBALL.**  
 Our award-winning PINK fragrance  
 and Pink Lip Shine together in a  
 convenient rollerball (\$9). Includes  
 pink-tassel-trimmed case.  
 Imported. GR-157-155 \$19.50.

**PINK FRAGRANCE COLLECTION**  
 (\$9), not shown. Imported.  
 Eau de parfum luxe spray,  
 1.7 oz. GR-146-093 \$55.  
 Eau de parfum purse spray,  
 3 oz. GR-146-092 \$25.  
 Eau de parfum spray, 1.7 oz.,  
 GR-146-094 \$39.  
 Eau de parfum spray,  
 2.5 oz. GR-146-095 \$45.  
 Blushing body lotion,  
 6.7 oz. GR-146-096 \$20.  
 Blushing body wash,  
 6.7 oz. GR-146-098 \$15.



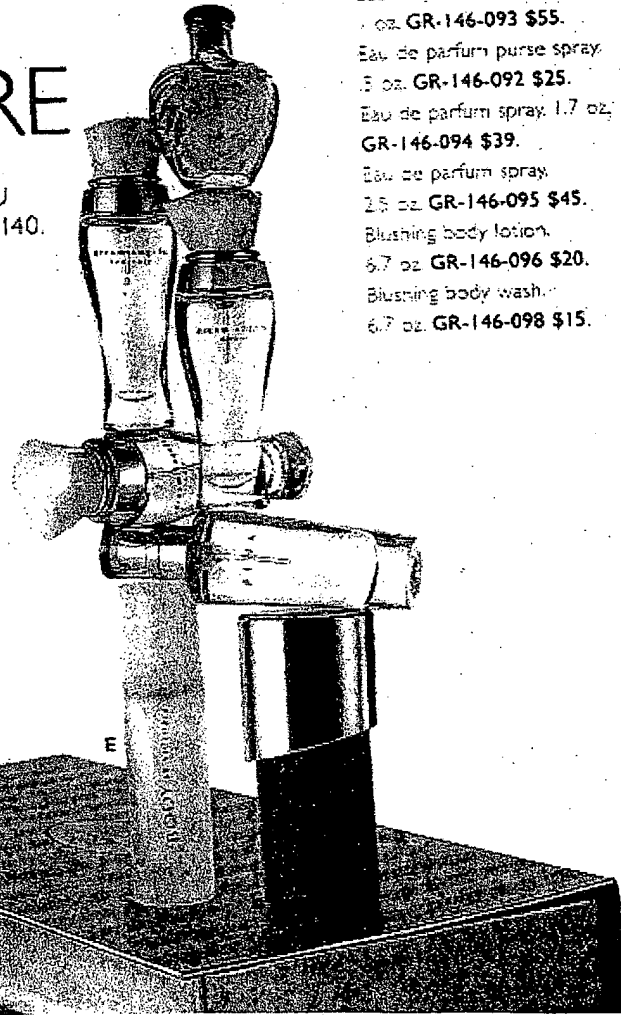
**G LOVE BRACELET.**  
 Dainty cuff with a  
 heart charm. Engraved  
 with "LOVE". Silver  
 (75). Domestic  
 silverplated brass.  
 One size.  
 GR-157-968 \$25.

# OBJECTS OF DESIRE

...AT SATISFY HER CRAVINGS FOR BEAUTY,  
 ...AND ALLURE, AT PRICES THAT ALLOW YOU  
 ...SOME OF YOURS. INDULGENCES FROM \$15-\$140.



**D BRACELET.** Sparkling silver link bracelet  
 for engraving. Locks in place with  
 cord. 7 1/2" long. GR-157-966 \$45.



**LUXURIES.** All our luxury  
 items start at just \$15.99.  
 Her 23 oz. Eau de Parfum  
 is a luxurious, pure, soft  
 scent. 23 oz. Eau de Parfum  
 is an angel's heavenly dream.

**F PROVOCATIVE PAIR FRAGRANCE/ LIP GLOSS ROLLERBALL (99).** This dual-ended rollerball boasts Very Sexy™ For Her fragrance on one end, a special-edition sparkling lip gloss on the other. Everything you need for an evening out. Comes with its own pouch. Domestic and imported.

**7R-166-410 \$18.50.**

**G GETTING LACY (AMDBAG) (99)** Black ultra-firry lace-detailed handbag is perfect for a glamorous evening out, or as a high-fashion alternative to your daytime purse. Comes with Very Sexy™ For Her Eau de Parfum Purse Spray, .5 oz., and Body Lotion and Body Wash, 3.4 oz. each. Domestic and imported. 10 1/2" x 2 1/4" x 5". **7R-166-408 \$42.**

**H GETTING LACY GIFT BOX (99)** Garter-inspired tube accents this pretty gift box filled with the very provocative Very Sexy For Her Eau de Parfum Purse Spray, .5 oz. and Body Lotion, 3.4 oz. Domestic and imported. **7R-166-403 \$29.**

**I VERY SEXY™ SHIMMER POWDER (99):** Sexy, scented shimmer powder in an innovative form: the brush yields the fragrant powder in one quick press of a button. Ideal for the décolletage or anywhere you want added sex appeal. Imported. **7R-166-394 \$27.50.**

**J-L VERY SEXY™ FOR HER FRAGRANCE COLLECTION (99).** Domestic and imported.  
**J Body Lotion, 6.7 oz. 7R-157-021 \$20.**  
**K Body Wash, 6.7 oz. 7R-157-022 \$15.**  
**L Eau de Parfum Spray, .5 oz. 7R-157-016 \$25.**  
**1 oz. 7R-157-019 \$35. 2.5 oz. 7R-157-020 \$45.**

**M VERY SEXY™ FOR HIM ELEMENTS OF STYLE (99).** Includes award-winning Cologne, 1 oz. and After Shave Hydrator, 1.7 oz. Domestic and imported. **7R-166-413 \$29.**

**N VERY SEXY™ FOR HIM ELEMENTS OF STYLE TRAVEL KIT (99).** All the essentials for traveling in style. Includes Cologne, After Shave Hydrator, and All-Over Body Wash, 1.7 oz. each. 9 1/4" x 3 1/4" x 7". Domestic and imported. **7R-166-414 \$39.**

**O-S VERY SEXY™ FOR HIM FRAGRANCE COLLECTION (99).** Domestic and imported.  
**O Deodorant, 2.6 oz. 7R-150-037 \$7.50.**  
**P Body Wash, 6.7 oz. 7R-150-036 \$10.**  
**Q After Shave Hydrator, 3.4 oz. 7R-150-035 \$17.50.**  
**R Cologne Spray, 1 oz. 7R-156-948 \$25. 1.7 oz. 7R-150-032 \$35. 3.4 oz. 7R-150-033 \$45.**  
**S After Shave Splash, not shown, 3.4 oz. 7R-150-034 \$17.50.**

◀ Lift to experience

**C. PROVOCATIVE PAIR**  
One side of this dual-ended rollerball features limited-edition Very Sexy™ Lip Sparkle, the other our Very Sexy™ For Her fragrance. (99) HO-166-410 \$18.50

**B. VERY SEXY™ FOR HER SHIMMER BODY POWDER**  
Sexy scented shimmer powder with a quick press of a button. Ideal for the decolletage. (99) HO-166-394 \$27.50

**VERY SEXY™ FOR HER FRAGRANCE COLLECTION (99)**

**F. BODY WASH**  
6.7 oz. HO-157-022 \$15

**G. BODY LOTION**  
6.7 oz. HO-157-021 \$20

**H. EAU DE PARFUM SPRAY**  
0.5 oz. HO-157-016 \$25  
1.0 oz. HO-157-019 \$35  
2.5 oz. HO-157-020 \$45

Domestic and imported



**D. SEXY KISSES BLOSSOM KIT**  
Four pretty shades of Mirror Mirror Shiny Lip Gloss, one sexy little package. Comes with an applicator. (99) HO-180-995 \$12.50 or 2/\$22

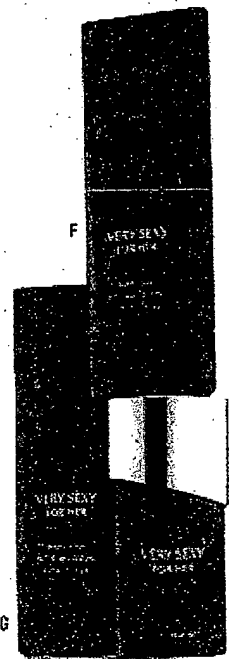
**E. GETTING LACY HANDBAG**  
Flirty lace handbag comes with Very Sexy™ For Her Eau de Parfum Spray .5 oz., Body Lotion and Body Wash, 3.4 oz. each. Bag dimensions: 10" x 2 1/2" x 5". (99) HO-166-408 \$42

**VERY SEXY FOR HER**

ESSENCE  
3.4 fl. oz. / 100 ml  
victoriasecret.com

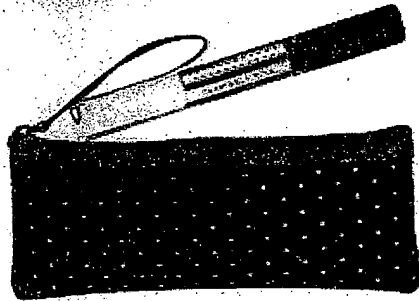
**VERY SEXY FOR HER**

ESSENCE  
3.4 fl. oz. / 100 ml  
victoriasecret.com

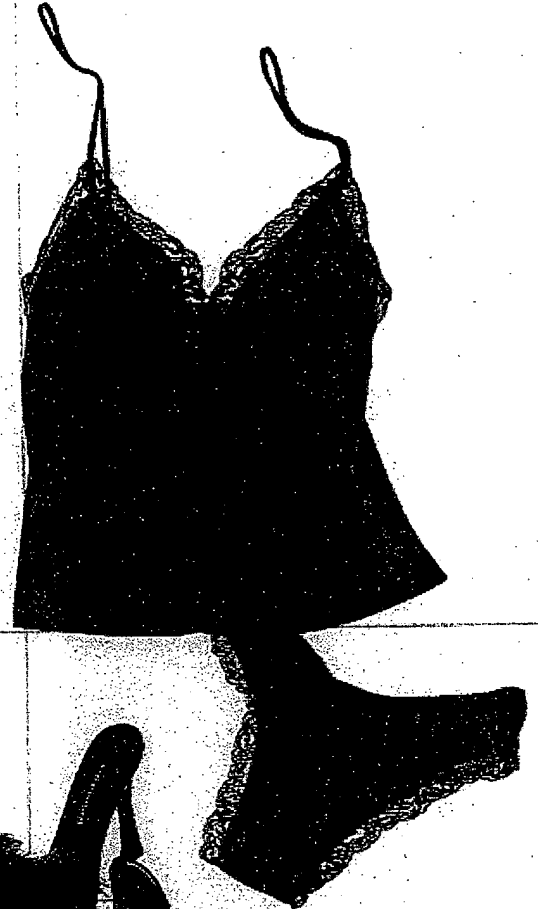




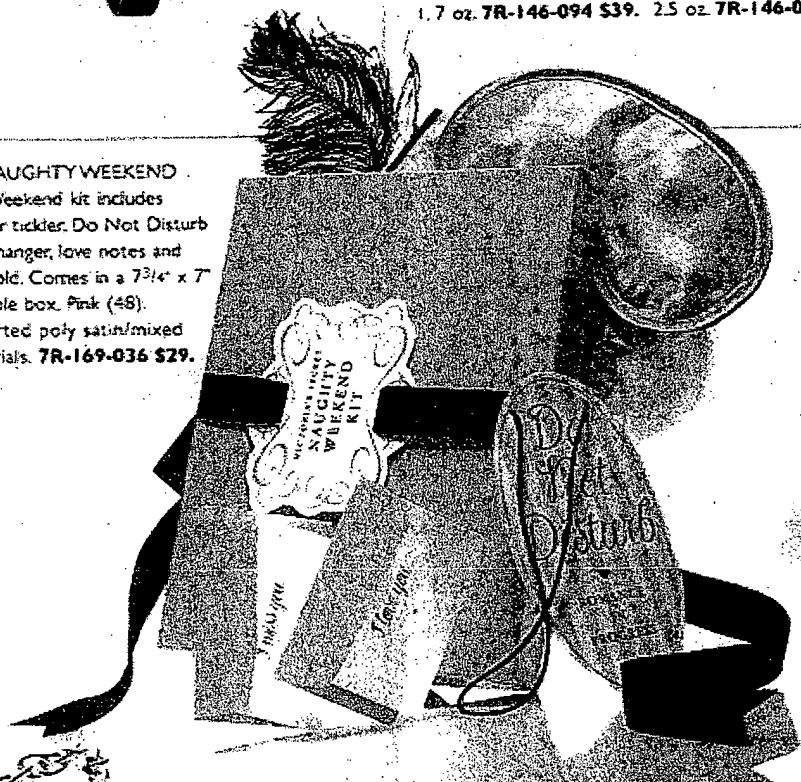
**E PERSONALIZED V-STRING PANTY.** Get your message across with our low-rise v-string. Just string on the jeweled letter charms of your choice. Hook closure at elastic waist lets you string on the charms. Keyhole back.  
Black (93). Imported poly/spandex. Sizes XS-L.  
7R-168-945 \$12 or Special any 3/\$29.50.



**F PLAYFULLY PINK FRAGRANCE AND LIP GLOSS** (99). This ingenious rollerball features our award-winning PINK fragrance on one end and a playful Pink Lip Sparkle on the other. Pouch included. Domestic and imported. 7R-166-457 \$18.50. PINK Eau de Parfum Spray, not shown. Domestic and imported. 1.7 oz. 7R-146-094 \$39. 2.5 oz. 7R-146-095 \$45.



**G NAUGHTY WEEKEND KIT.** Weekend kit includes feather tickler, Do Not Disturb door hanger, love notes and blindfold. Comes in a 7 3/4" x 7" reusable box. Pink (48). Imported poly satin/mixed materials. 7R-169-036 \$29.



**H-I BOUDOIR LINGERIE & SLIPPER.** For the night before Christmas and all through the year. Hot pink (487). Imported poly charm. Sizes XS-L.  
**H** Camis with lace trim and adjustable straps.  
**I** Panty with lace and elastic waist. 7R-168-455 \$28.  
**I** Feathered satin slippers. Poly. Sizes 6-10. 3" heel. 7R-168-454 SPECIAL \$48.

**L MOTHER-OF-PEARL WATCH** with faux crystal bezel. It's glamour time. Silver-toned hardware. Pink (48), baby blue (78) or black (93). Imported leather. 7R-169-021 \$49.

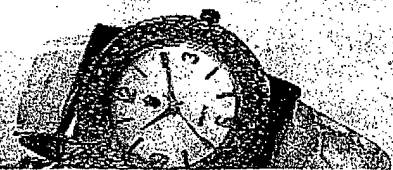
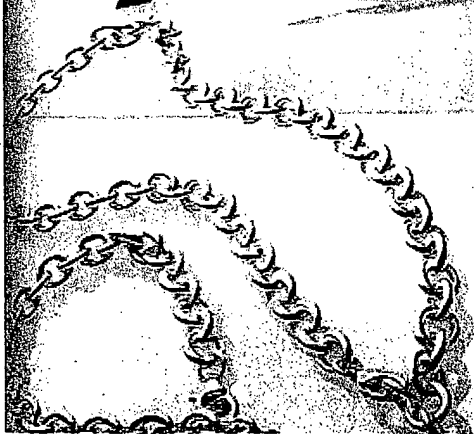
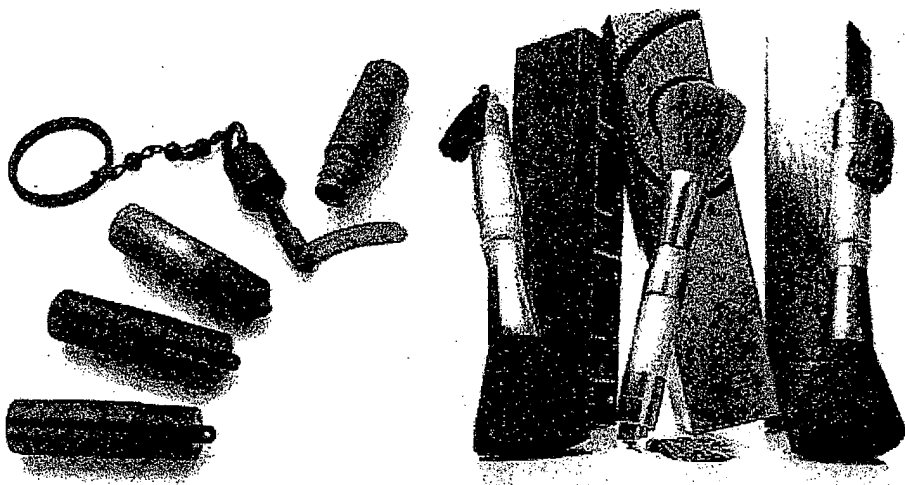


EXHIBIT 2



C D-F

**C LOCKING LIPS GLOSSES-TO-GO (99).** This unique set features four shades of Victoria's Secret's new, ultra-sexy Shining Kisses Lip Gloss in four different finishes. Each clips easily on to the key chain. Includes: *Chloe (Red Wine)* in a Creamy Finish, *Holly (Raspberry)* in an Iridescent Finish, *Ashley (Brown)* in a Shimmering Finish and *Morgan (Plum)* in a Metallic Finish. Imported. **8T-165-448 \$12.50.**

**D-F SHIMMER BODY POWDERS.** Your favorite fragrances in a sexy, shimmering powder. Perfect for this holiday season. Domestic and imported.  
**D PINK Flirty Shimmer Body Powder (99); 8T-166-456 \$27.50.**  
**E Body By Victoria Sensual Shimmer Body Powder (99); 8T-166-442 \$27.50.**  
**F Breathless Captivating Shimmer Body Powder (99); 8T-166-450 \$27.50.**

**G-H DREAM ANGELS HOLIDAY ORNAMENTS.** Her holiday tree will be adorned with scents from heaven with your choice of dream angels fragrance ornaments. All have a hidden surprise: award-winning dream angels fragrance tucked inside. Domestic and imported.  
**G Dream Angels Bejeweled Ornament.** Heavenly scents, feathers and magical jewels adorn this pretty ornament filled with a dream angels eau de parfum miniature, .25 oz. Available in dream angels halo, red jewels (940) or dream angels divine, pink jewels (941). **8T-166-353 \$12.50 or Special 2/\$22.**

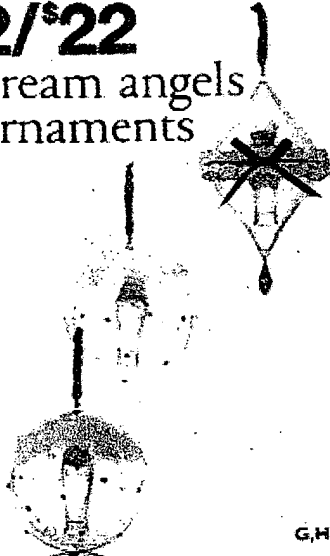
**H Dream Angels Garter Ornament.** A pretty lace garter adorns this jeweled holiday ornament filled with a dream angels eau de parfum miniature, .25 oz., in dream angels heavenly (939) only. **8T-166-341 \$12.50 or Special 2/\$22.**

**I PLAYFULLY PINK FRAGRANCE AND LIP GLOSS (99).** This ingenious rollerball features our award-winning PINK fragrance on one end and a playful Pink Lip Sparkle on the other. Pouch included. Domestic and imported. **8T-166-457 \$18.50.**

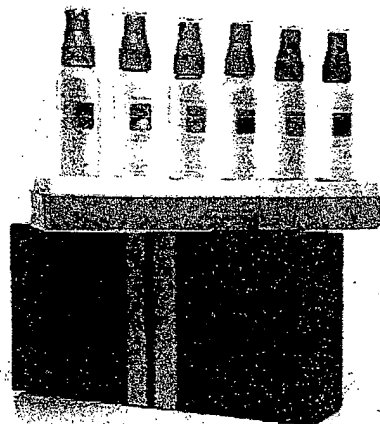
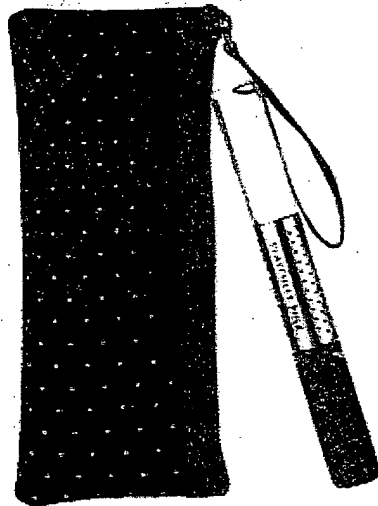
**J RED HOT AND BLACK BODY SPLASH SAMPLER.** Six of Garden's star scents in a luxurious Silkening Body Splash sampler (99). Includes *Love Spell, Pear Glacé, Amber Romance, Strawberries and Champagne, Endless Love* and *Vanilla Lace*. 2 oz. each. Domestic and imported. **8T-166-431 \$19.50.**

**K RED HOT AND BLACK LOTION COFFRET.** Five 1 oz. minis of your favorite Garden Skin-Silkening Body Lotions in one deluxe sampler (99). Includes *Love Spell, Pear Glacé, Strawberries and Champagne, Amber Romance* and *Endless Love*. Domestic and imported. **8T-166-418 \$13.50.**

**2/\$22**  
 dream angels  
 ornaments



G,H I  
 J K



THE GOODY BAGS

When they say it's great just to be nominated, they're not kidding. Oscar nominees, along with presenters and other VIPs, are showered with thousands of dollars in gifts. Contenders in the actress and supporting actress categories walk away with the most swag (diamonds, perfume, designer clothes, more diamonds) but there's plenty to go around. Presenters goodies this year are supposedly worth more than \$30,000 — all wrapped up in an elegant suede outfit designed by Maria Lyons. (Feeling left out? Men's models can buy the bag, in different colors, next week for \$395 on marialyons.com.) Here's a look at just some of the loot — like any of these Hollywood types really need this stuff.



**HALLE BERRY'S** classy white silk column from Carolina Herrera featured a dramatic bow.



**NICOLE KIDMAN'S** Chanel couture gown featured a ruffled bodice and glittering hem.



**MARCIA HARTE WAS ROOM** for her to-be born twins in Marcia Harte's vibrant violet Badgley Miskin.



**SCARLETT JOHANSSON** in pin-tucked teal satin by Alberta Ferretti.



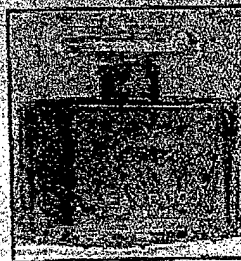
**Weekend bag:** A travel bag by Manolo Blahnik filled with suede slides, Estee Lauder products, Baccarat earrings, an Hermes throw and a bottle of Veuve Clicquot champagne. \$10,000

**Hotel suite:** a two-night stay at The Carlyle in Manhattan \$2000



**Vodka:** Wyborowa's new vodka will be presented in a limited edition gift box and bottle designed by Frank Gehry. \$2000

**Underwear:** Angels bra and panties by Victoria's Secret with a diamond Mouawad pendant, a lip gloss with a diamond applicator and Dream Angels perfume \$12,000



**Crystal perfume bottle:** Baccarat bottle engraved with the nominee's name and filled with Enjoy by Jean Patou. \$500

**Morning After Bag:** Red crocodile tote filled with Revlon beauty products \$2500



**Porcelain pendant:** A necklace from the new





BEAUTIFUL

ESTÉE LAUDER



BEAUTIFUL  
SHEER

ESTÉE LAUDER

Experience Beautiful Sheer  
◀ Open here

Beautiful Sheer  
Perfect Portables includes:  
2-in-1 Eau de Parfum Pen  
with Pure Color Glass,  
Bath and Shower Gel,  
Fragrant Body Lotion  
and zip pouch.

Available at  
Burdines-Macy's  
To order, call 1-800-334-3100  
Dept. 330

Use Your Burdines-Macy's, Burdines or  
Macy's credit card. Add applicable Florida  
state sales tax. Shipping and handling are  
extra. Sorry, no cash, check or money  
orders, no CODs or PO Box delivery.

# YOUR FREE GIFT

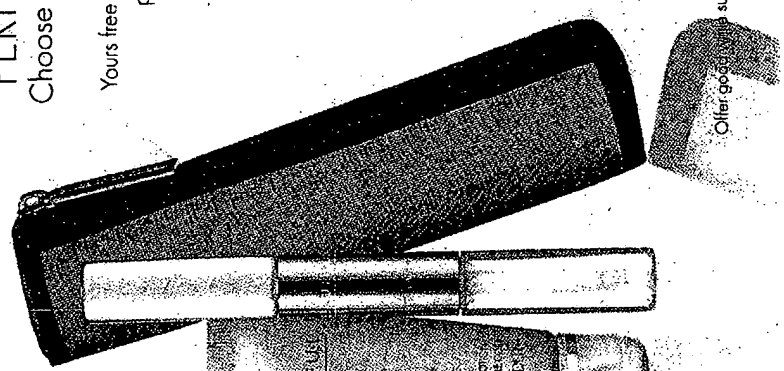
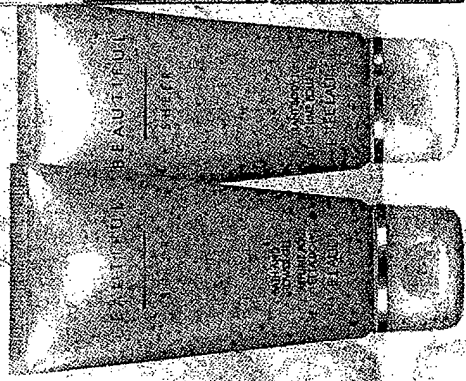
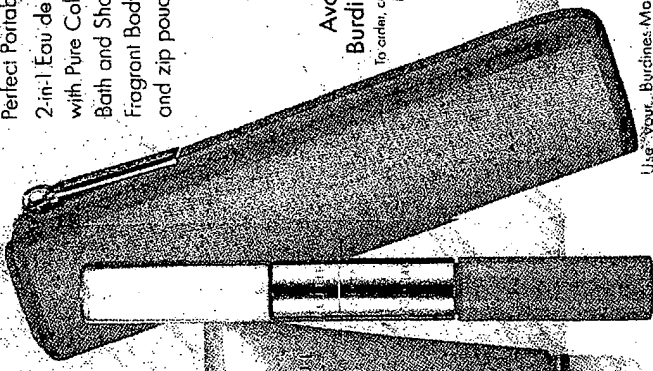
## PERFECT PORTABLES Choose Beautiful or Beautiful Sheer

Yours free with any Beautiful or Beautiful Sheer  
purchase of 42.50 or more.\*

\* Excluding gift sets.  
Offer good while supplies last. Quantities limited. One to a customer, please.

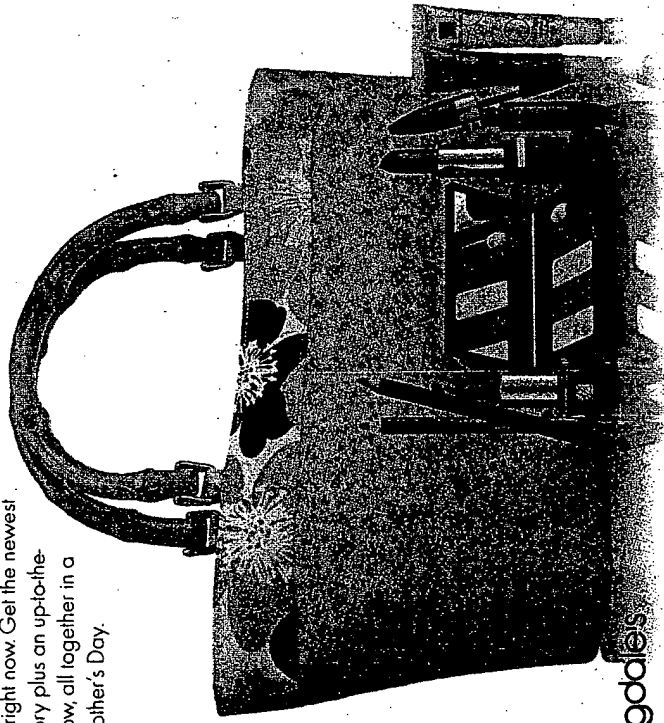
Experience Beautiful  
Open here ▶

Beautiful  
Perfect Portables includes:  
2-in-1 Eau de Parfum Pen  
with Pure Color Glass,  
Bath and Shower Gelée,  
Perfumed Body Lotion  
and zip pouch.



Spring Accents Color Collection  
24.50 with any Estée Lauder fragrance purchase.  
The collection worth 100.00

Hot, bright and right now. Get the newest  
fashion accessory plus an up-to-the-  
minute look. Now, all together in a  
great gift for Mother's Day.



bloomingdale's

To order by phone call toll-free 1-800-555-SHOP  
Appropriate delivery fee will apply.  
Item #D515



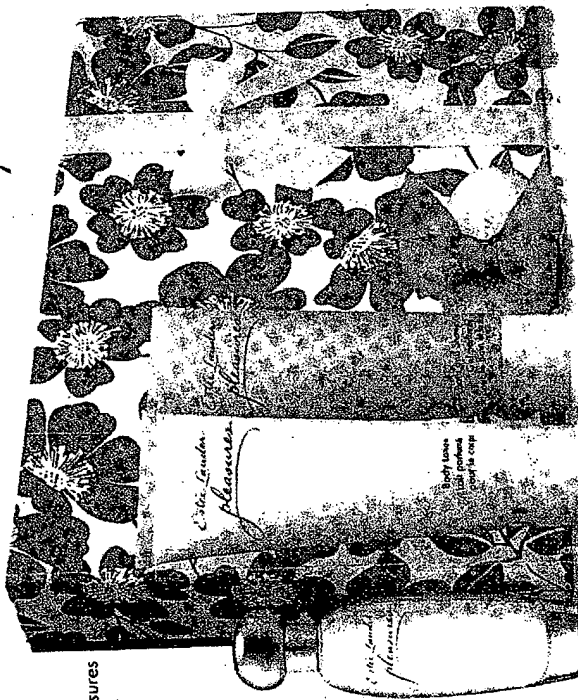
Life's simple pleasures.

ESTÉE LAUDER

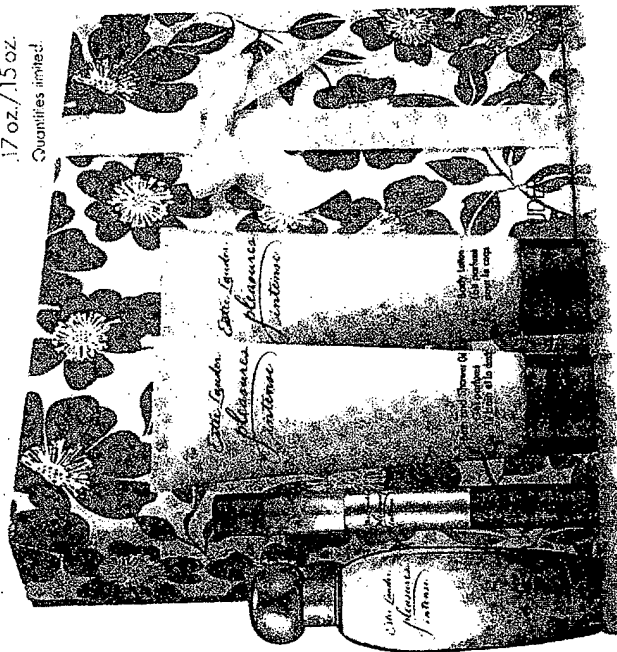
# gifts to make her day

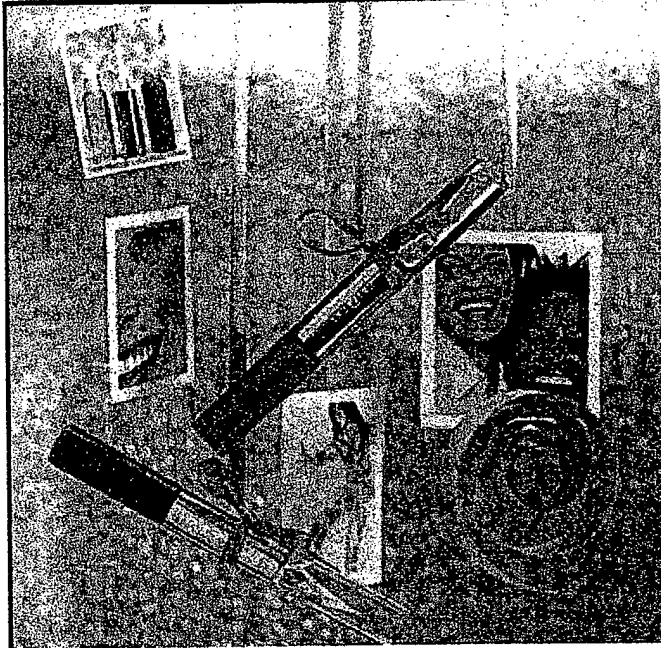
Estée lauder pleasures  
Delightful All Over  
55.00 Worth 80.00  
Eau de Parfum Spray 1.7 oz.  
Body Lotion 3.4 oz.  
Bath and Shower Gel 3.4 oz.  
Body Soap 3.5 oz.  
Quantities limited.

Experience  
Estée lauder pleasures  
Open here ▶



Estée lauder pleasures intense  
Touching Moments  
55.00 Worth over 100.00  
Eau de Parfum Spray 1.7 oz.  
Body Lotion 3.4 oz.  
Bath and Shower Gel 3.4 oz.  
Eau de Parfum/Lip Gloss Pen  
1.7 oz./1.5 oz.  
Quantities limited.





VELOCITY® End2End™ Fragrance and Lip G

How cool! Two products for the price of one. On one end, you get oh-so-popular Velocity® Eau de Parfum. On the other end, there's gloss. Even cooler, luminescent pearls reflect light. Sugar Coated Jam On shown bottom.

Velocity® End2End™ Fragrance and Lip Gloss

(limited edition, while supplies last),

.16 fl. oz. each,

\$20 suggested retail

VELOCITY® Shadow Box™ Eye C

Visit the Personal Web Site of your Mary Kay Independent Beauty Consultant to see other great Mary Kay® products. Don't have a Beauty Consultant? [Click here](#) to locate a Beauty Consultant in your area.

[What's New Now Home](#) | [MK Signature™ Brush Set](#) | [Velocity® Limited-Edition Products](#) | [Fragrance Limited-Edition Products](#)  
[Holiday Limited-Edition Colors](#) | [Color 101 Looks](#) | [Virtual Makeover](#) | [Product Line](#)

# SEPHORA

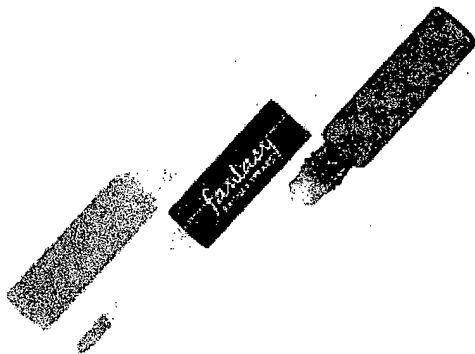
SEARCH

MAKEUP | SKINCARE | FRAGRANCE | BATH & BODY | HAIR | TOOLS | MEN | SMILE | GIFTS

free gift packaging ▶ free shipping on orders over \$75 ▶ free samples ▶ easy returns ▶

◀ BACK

◀ PREV | BROWSE BRITNEY SPEARS | NEXT ▶



## BRITNEY SPEARS

▶ VIEW ALL PRODUCTS BY [BRITNEY SPEARS](#)

### Surprising Twist!

This double-duty pocket or purse must-have sports a sexy lip gloss on end, and a Fantasy Britney Spears roll-on fragrance on the other. Don't leave home without this handy, attention-grabbing duo.

#### Notes:

Lychee, Quince, Kiwi, Cupcake Accord, Jasmine Petals, White Chocolate Orchid, Musk, Orris Root, Woods.

#### Style:

Seductive. Charming. Romantic.

To order, pick a quantity and click on "Place in Basket"

| PRODUCT NAME      | ITEM # | PRICE | QTY.                           | FAVORITES/REGISTRY  |  |
|-------------------|--------|-------|--------------------------------|---|--|
| Surprising Twist! | 880518 | \$25  | <input type="text" value="1"/> | <input type="button" value="ADD TO MY FAVORITES"/><br><input type="button" value="ADD TO GIFT REGISTRY"/> | <input type="button" value="PLACE IN BASKET"/> |

### related products:



[Britney Spears Fantasy](#), \$25 - \$55



[Britney Spears Look My Way Color Kit](#), \$25

[About Sephora](#) | [Contact Us](#) | [Catalog Request](#) | [Order Status](#) | [My Favorites](#) | [Store Locator](#) | [Store Events](#)  
[Other Countries](#) | [Canada Orders](#) | [Privacy Policy](#) | [Affiliates](#) | [Site Index](#) | [Help](#)

Copyright © 1999 - 2006 Sephora USA, Inc. ALL RIGHTS RESERVED. Please refer to [legal](#) for terms of use.



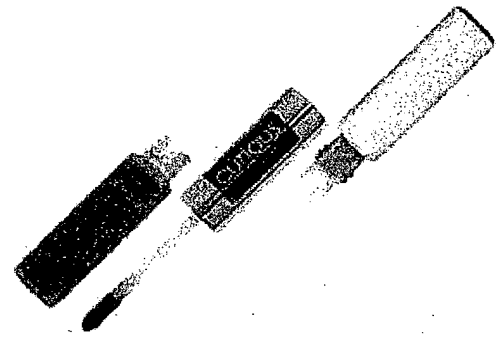
SEARCH Enter keyword or item #

MAKEUP | SKINCARE | FRAGRANCE | BATH & BODY | HAIR | TOOLS | MEN | SMILE | GIFTS

free gift packaging > free shipping on orders over \$75 > free samples > easy returns >

« BACK

BROWSE BRITNEY SPEARS | NEXT >



### BRITNEY SPEARS

▶ VIEW ALL PRODUCTS BY [BRITNEY SPEARS](#)

#### Two Tempting!

This double-duty pocket or purse must-have sports a sexy pink shimmer lipgloss on one end, and a Curious by Britney Spears roll-on fragrance other. Don't leave home without this handy, attention-grabbing duo.


#### Notes:

Louisiana Magnolia, Golden Anjou Pear, Lotus Flower, Tuberose, Star J Pink Cyclamen, Vanilla Infused Musk, Sandalwood, Blonde Woods.

#### Style:

Bold. Adventurous. Fun.

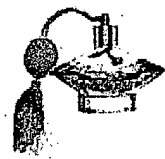
To order, pick a quantity and click on "Place in Basket"

| PRODUCT NAME   | ITEM # | PRICE | QTY.                           | FAVORITES/REGISTRY  |
|--|--------|-------|--------------------------------|---|
|  Two Tempting!<br>(shimmering pink) | 846238 | \$25  | <input type="text" value="1"/> | <input type="button" value="ADD TO MY FAVORITES"/> <input type="button" value="ADD TO GIFT REGISTRY"/> <input type="button" value="PLACE IN BASKET"/> |

### related products:



[Britney Spears Look My Way Color Kit, \\$25](#)



[Britney Spears Curious Britney Spears, \\$20 - \\$52.50](#)

About Sephora | Contact Us | Catalog Request | Order Status | My Favorites | Store Locator | Store Events  
Other Countries | Canada Orders | Privacy Policy | Affiliates | Site Index | Help

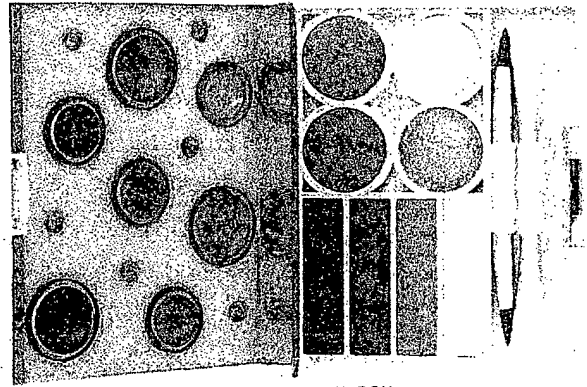
Copyright © 1999 - 2006 Sephora USA, Inc. ALL RIGHTS RESERVED. Please refer to [legal](#) for terms of use.

NEW HARD CANDY CHARMED  
LIP GLOSS BRACELET IN  
BUBBLE GUM Charm her with this  
adorable, snap-on bracelet that  
dangles with lip gloss and little  
silver accessories. #879767 \$16

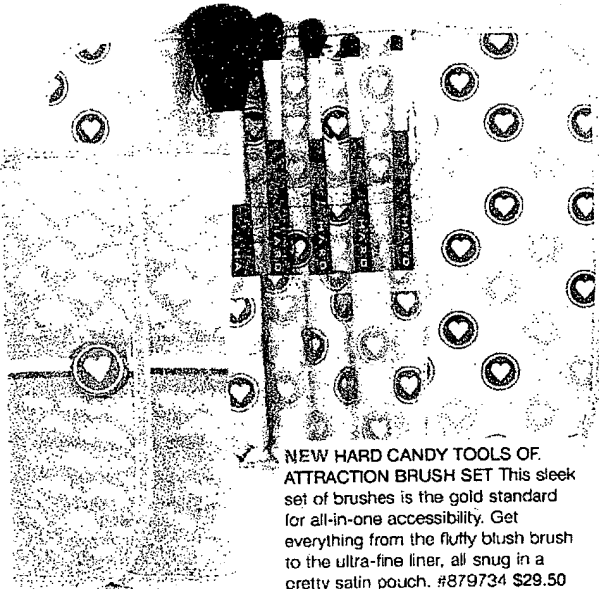
LIMITED EDITION

ALSO AVAILABLE: NEW HARD  
CANDY CHARMED LIP GLOSS  
BRACELET IN SKY #879775 \$16

LIMITED EDITION

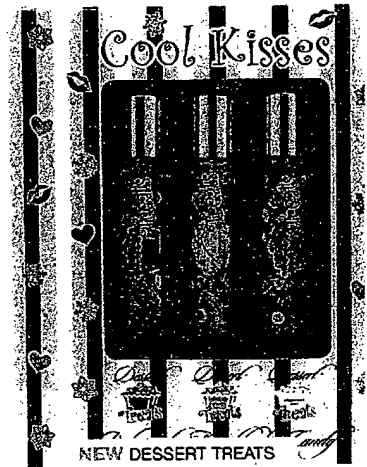


NEW HARD CANDY JEWEL BOX -  
EYE AND LIP PALETTE This precious  
little palette holds seven glosses, eight  
shadows, two mini applicators and  
a dual-sided mirror. Perfect for your little  
princess. #879726 \$18 LIMITED EDITION



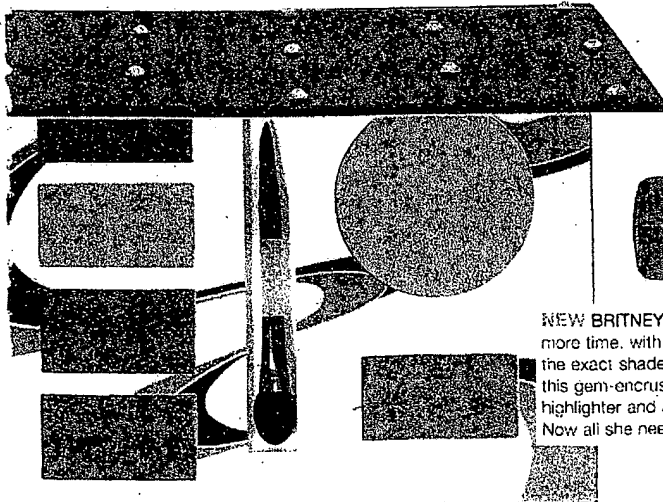
NEW HARD CANDY TOOLS OF  
ATTRACTION BRUSH SET This sleek  
set of brushes is the gold standard  
for all-in-one accessibility. Get  
everything from the fluffy blush brush  
to the ultra-fine liner, all snug in a  
pretty satin pouch. #879734 \$29.50

LIMITED EDITION



NEW DESSERT TREATS  
COOL KISSES GIFT SET  
This trio of bite-sized  
glosses is ideal for the girl  
on the go. Pop one in your  
purse or pocket for a lip  
treat that's both sweet and  
shiny. Set includes Vanilla  
Ice Cream, Cinnamon  
Hearts and Peppermint  
Swirl. #863142 \$15

W for  
pretty little things



NEW BRITNEY SPEARS FANTASY FRAGRANCED  
ROLLERBALL AND LIP GLOSS DUO Her two favorites:  
gloss and fragrance. Lucky for her, this magic wand  
has both a scented roller ball on one end and a sheer  
shine gloss on the other. #880518 \$25

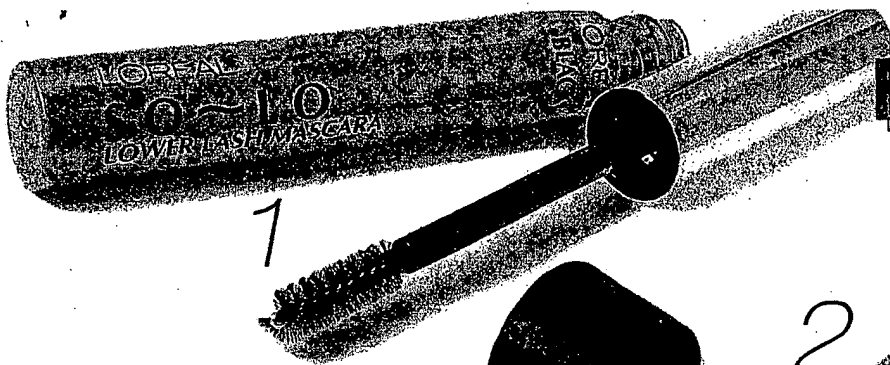


NEW BRITNEY SPEARS LOOK MY WAY COLOR KIT Hit her baby one  
more time, with a gift that brings out her inner pop star. Stocked with  
the exact shades the starlet herself is wearing in her flirty fragrance ads,  
this gem-encrusted palette includes four wearable shadows, an all-over  
highlighter and a sheer pink gloss for amped-up, megawatt glamour.  
Now all she needs is a record contract. #881235 \$25 LIMITED EDITION

ORDER HOLIDAY GIFTS BY DECEMBER 20TH 21

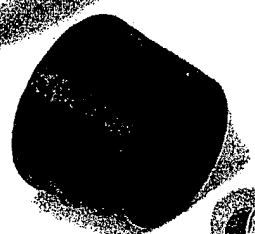


beauty



1

**1. fringe benefits**  
Painting your lower lashes can be risky business. Hello, clumps! To the rescue: L'Oréal's So-Lo Lower Lash Mascara. The mini wand grabs and defines every single tiny lash. Mascara, \$7.15; drugstores.



2

**2. weird science**  
If chem class rocks your inner periodic table (Fe, O, Cu... later), you'll love Chemistryset's bevy of flasks, test tubes and applicator jars filled with skin-softening tub treats. Bath salts, \$16; Chemistryset.net.



3

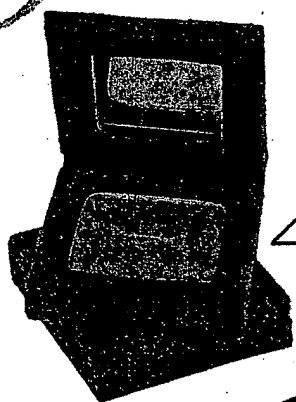
**3. mo' money**  
Talk about bang for your buck: The Body Shop's Tint & Shine packs three functions in one handy wand. Tip: Stain your lips and cheeks with long-lasting Lip Tint, then follow with Lip Gloss for plumping shine. Lip and cheek color, \$15; Thebodyshop.com.

# the buzz

Wallet-size lip gloss, clump-free mascara and more I-gotta-have-'em tidbits.

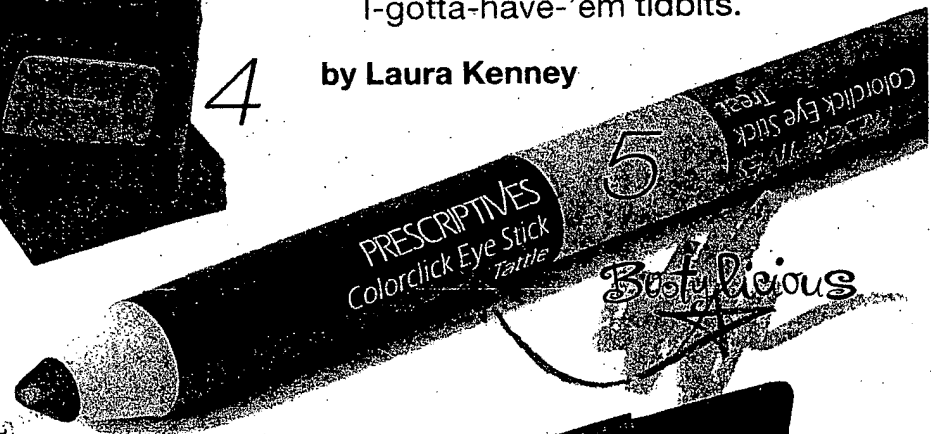
by Laura Kenney

**4. passion for fashion**  
Afraid the suede skirt you've been jonesing for will kill your cash stash? Go for Tarte's fall makeup line instead. Packed in purple suede, the compacts are pret-a-porter for the purse! Eyeshadow, \$16; Beauty.com.



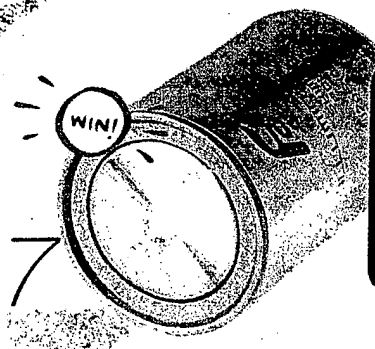
4

**5. line me up**  
If you're a gal who likes her options, you'll love Prescriptives Colorclick Eye Stick. You choose two silky shadows, click 'em together and voilà—sexy eyes. Eye pencil, \$14 for each color; department stores.



5

**6. lipstick or plastic?**  
Gloss that fits in your wallet, say what? Trish McEvoy's Maxed Out packs 10 glosses and a brush in a compact the size of a credit card. Lip gloss set, \$18; 800-431-4306.



WIN!

**7. win it!**  
If you love what Fudge's hair line does for your tresses, just think what its funky new makeup line, F2, will do for your face! Five readers and five seventeen.com visitors can each score one Illuminating Shimmer Powder (no purchase necessary; for details, see last pages). Powder, \$9.95; Fudge.com.



6

117 september 2001

Still lifes: David Lazarus.

EXHIBIT 8



# BLADE LESS SHAVE LESS



VEET® BLADELESS RAZOR™ hair removal kit. Keeps skin smoother for up to twice as long as shaving with a blade. No nicks, no cuts, just smoothness that lasts.

VEET. A feeling that lasts.

beautysov

# miracle workers

A lipstick is just a lipstick—unless it's one of these miraculous, high-tech items.

if you want:

## endurance

REVLON COLORSTAY OVERTIME  
LIP COLOR IN RELENTLESS RAISIN

A plum lip cream that stays on for hours (our tester applied it at 7 AM and didn't touch up all day) and comes with a clear gloss. \$9.25, DRUGSTORES

## sweet and glittery

HARD CANDY STAIN & SHINE IN STOP

A lollipop-like tint goes on with a roller ball (love!), then you top it off with a frosty white iridescent gloss that smells like cake mix. \$14, SEPHORA.COM

## a creamy lipstick look

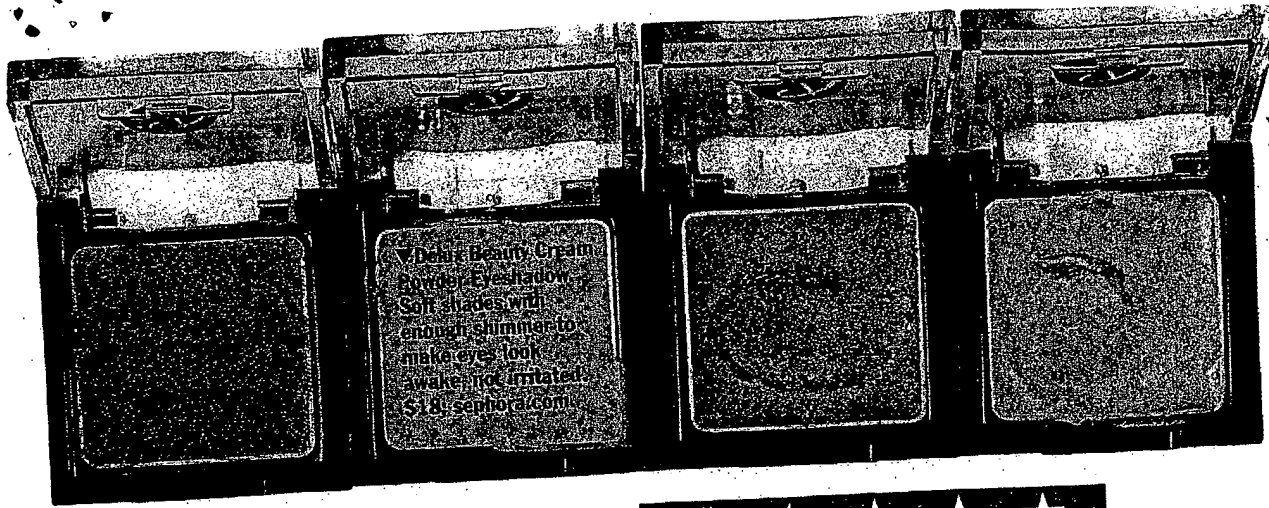
MAX FACTOR LIPFINITY EVERLITES IN  
MYSTICAL A berry-toned, matte lipcolor in one tube, a high-shine clear gloss in the other. \$9.40, DRUGSTORES

## sparkly, not color

AURA SCIENCE  
REFLECT DOUBLE  
SHINE IN TECH PINK  
Half-pigment, half-shine, this fuchsia-ish shade has the coolest minispatula applicator, allowing the capsules of color to go on like a topcoat. The result is bright, vibrant, and ridiculously shiny. \$15, 866-473-9357

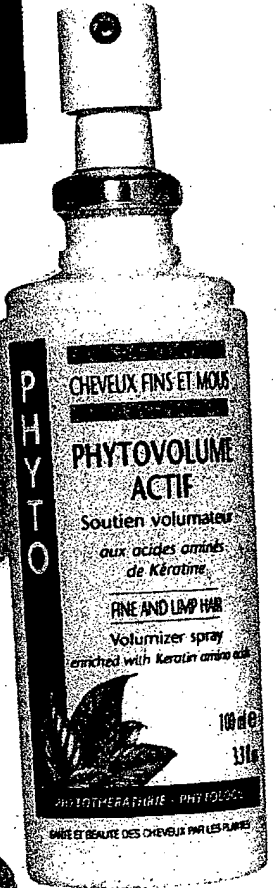
## options

TOO FACED PUCKER POLISH IN CANDY PUCKER  
Wear the hibiscus pink stain or the grapefruit-toned gloss alone, or together for a sheer, your-lips-but-better look. \$20, SEPHORA.COM



▼Dear Beauty Cream Eyeshadow. Soft shades with enough shimmer to make eyes look awake, not irritated. \$12; sephora.com

▼Phytovolume Actif Volumizer Spray. A spritz before blow-drying gives lank hair the heft to hold a style all day. \$22; phyto.com.



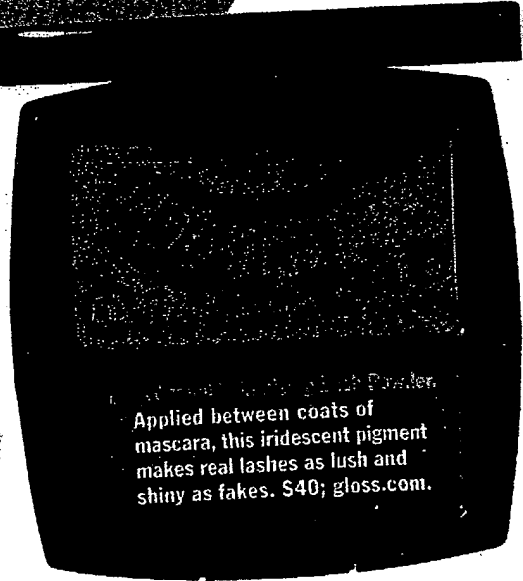
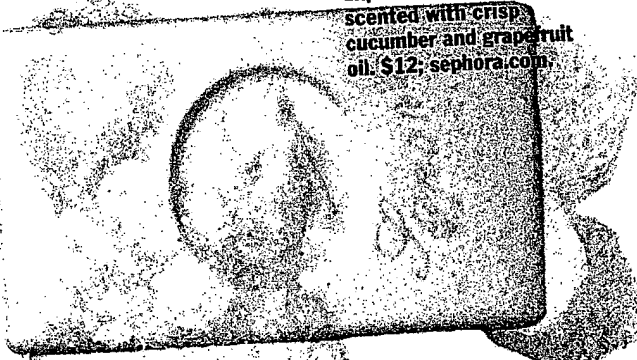
# EDITORS' FAVORITES

*A pretty pink lip stain, a bouquet of pastel nail polish, and one fine-hair booster.*

◀Hard Candy Stain & Shine in Pigeon. Like the *Wine the Pool* character, this lip color is quiet and sweet. It also comes with a side of gloss. \$14; hardcandy.com



▼Tocca Beauty soap in Cleopatra. This mermaid-imprinted bar is refreshingly scented with crisp cucumber and grapefruit oil. \$12; sephora.com



Applied between coats of mascara, this iridescent pigment makes real lashes as lush and shiny as fakes. \$40; gloss.com.



# LUCKY

## beauty

**111 BEAUTY SPY** The best bronzers and self-tanners, high-tech lipstick, and bath bonbons.

**138 A PRO'S PICKS** Theory's creative director shops for office-appropriate makeup.

**158 THE SCENT SPECIALIST** A second-generation perfumer helps you pick the perfect scent.

**160 TREATMENT** Our cross-country roundup of spas that cater to parties of two.

**164 SECRET INGREDIENT: PEPTIDES** The latest miracle-working skincare additive.

**166 DO IT YOURSELF** Everything you need to know about concealer.

**173 THE LUCKY GUIDE TO SHINY, HEALTHY HAIR** Twelve pages packed with great tips to get your hair into peak condition.



166

*lucky you*  
**NEWSLETTER**

Visit Luckymag.com to sign up for our free monthly e-mail filled with local deals, sales, and insider info.

249

111

## LUCKY BREAKS

**249** Enter to win one of 10 tropical cruises, along with a beach wardrobe to take with you. Plus, look for this icon throughout the issue for savings on **Lucky breaks** stuff you'll love.

## life/style

**217 ORGANIZE YOUR CLOSET** Our streamlined system will help you make the most of your wardrobe.

**225 LUCKY LIFE** A cocktail pro's picks, Mother's Day gifts, and pointers to achieve a preppy-modern aesthetic.

**235 SHOPPING TRIP: ROME AND FLORENCE** A comprehensive list of the best boutiques, outlets, and flea markets in these breathtaking Italian cities.

**266 HOW TO CONTRIBUTE** Walk, bike—or shop—to aid MS research.

Having trouble finding something you saw in **Lucky?**

Check the Lucky Locator at Luckymag.com

Still don't see it? Send us a fax: 800-897-8718, or an e-mail: findit@luckymag.com

To subscribe to **Lucky**, call 800-777-4058 or log on to Luckymag.com

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

**BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER:** \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**